



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/510,919	02/22/2000	Paul Owen Livesay	1125-2	2726

7590

01/06/2005

Ryan & Mason, LLP  
Attorneys at Law  
90 Forest Avenue  
Locust Valley, NY 11560

EXAMINER
----------

ADAMS, JONATHAN R

ART UNIT	PAPER NUMBER
----------	--------------

2134

DATE MAILED: 01/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/510,919

Applicant(s)

LIVESAY, PAUL OWEN

Examiner

Jonathan R Adams

Art Unit

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☐ Claim(s) \_\_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 10 is/are allowed.
- 6) ☒ Claim(s) 1-7,9 and 11-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                                                        |                                                                                         |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                            | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

### **DETAILED ACTION**

1. Claims 1, 9, 10, 11, 14, 28, and 29 have been amended.
2. Claim 8 has been canceled.

### ***Response to Arguments***

3. Applicant's arguments, see page 11, line 18, filed 6/14/04, with respect to the rejection(s) of claim(s) 1-5, 7-9, 11-14, 19-21, and 25-29 under 102(b) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn.

However, upon further consideration, a new ground(s) of rejection is made in view of Grabber et al., US Patent No 5961593, with a filing date of 1/22/97. The 102(b) rejection previously set forth has been withdrawn and in light of new art applied to the amended claims, substituted with a 103(a) rejection.

4. Applicant's arguments with respect to previously rejected claim 11 have been fully considered but they are not persuasive. Applicant contends that there is no interfacing of a transaction database of an intermediary machine with a credit clearing infrastructure element. The examiner disagrees. A transactional database is taught in '593 as the central proxy system data store and is interfaced by means of the central proxy system capabilities to authenticate alias credit card number (Col. 13, Line 5, '593) to the corresponding credit clearing infrastructure.

Art Unit: 2134

5. Applicant's arguments with respect to claims 14 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-7, 9, 11-13, and 19-29 rejected under 35 U.S.C. 103(a) as being unpatentable over Gabber et al., US Patent No. 5961593 (hereafter referred to as '593) in view of Walker et al., US Patent No 6794207 (hereafter referred to as '207).

As to claim 1, 28, and 29:

8. '593 teaches a method for providing anonymous personalized browsing including transactions comprising:

- Intermediary machine / Proxy system (Col. 5, Line 10,'593)
- Association between real identity and corresponding alias identity / Substitute identifiers (Col. 6, Line 60,'593)
- Supply portion of alias identity information / Provides the appropriate secure identifiers automatically (Col. 7, Line 10,'593)

Art Unit: 2134

- Provide intermediary payment authorization / Central proxy system provides its own valid credit card number (Col. 12, Line 67,'593)

9. '593 further teaches processing transaction information by the intermediary including automatically choosing and sending credit card numbers with valid expiration dates (Col 13, Lines 5-9, '593). '593 does not teach for the intermediary to store information for multiple user credit cards. '207 teaches an electronic purchasing system implementing a remote database storing multiple purchaser credit card numbers with corresponding expiration dates. It would have been obvious to a person of ordinary skill in the art at the time of invention to use the automated transaction processes of '593 to choose a valid credit card number with valid expiration date from the stored list of information for multiple credit cards as in '207. One of ordinary skill in the art would have been motivated to use the automated transaction processes of '593 to choose a valid credit card number with valid expiration date from the stored list of information for multiple credit cards as in '207 because it would be beneficial to store multiple user credit cards to prevent service interruption due to the credit card expiration.

10. As to claim 2:

All communications are directed though the intermediary machine (Fig 2, elements 105a/110a,'593)

11. As to claim 3:

Art Unit: 2134

Portion of information supplied with request of user / User to allow one or more substitute identifiers to be chosen (Col. 8, Line 33,'593)

12. As to claim 4:

Real identity information... user name / User identification (Col. 6, Line 48,'593)

Real identity information... user electronic address / E-mail address (Col. 6, Line 48,'593)

Real identity information... user shipping address / Postal address (Col. 6, Line 48,'593)

Real identity information...user payment card number / Credit card numbers (Col. 6, Line 48,'593)

13. As to claim 5:

Alias identity information /characteristic... user alias / Alias user name (Col. 6, Line 66,'593)

Alias identity information... alias electronic address / alias email address (Col. 6, Line 66,'593)

14. As to claim 6:

'593 as modified above teaches a method for providing anonymous personalized browsing including transactions comprising the method of claim 1, and further comprising:

Art Unit: 2134

Payment authorization information... payment card number / Credit card numbers (Col. 12, Line 52,'593)

Not specifically mentioned is for Payment authorization information to include Authorization to charge amount. The examiner takes official notice as to include an authorization to charge an amount to account corresponding to the method of payment. It would have been obvious to a person of ordinary skill in the art at the time of invention to include an authorization to charge an amount to account corresponding to the method of payment. One of ordinary skill in the art would have been motivated to include an authorization to charge an amount to account corresponding to the method of payment, because this is the convention credit card transactions follow, including online credit card transactions.

15. As to claim 7:

Payment authorization information... Identifier of an account / Account numbers (Col. 12, Line 53,'593)

16. As to claim 9:

'593 teaches a method for providing anonymous transactions using credit cards with corresponding expiration dates. It is deemed to be inherent that the credit cards should expire on their given expiration date.

17. As to claim 11:

Art Unit: 2134

Intermediary machine / Proxy system (Col. 5, Line 10,'593)

Association between real identity and corresponding alias identity / Substitute identifiers (Col. 6, Line 60,'593)

Supply portion of alias identity information / Provides the appropriate secure identifiers automatically (Col. 7, Line 10,'593)

Provide intermediary payment authorization / Central proxy system provides its own valid credit card number (Col. 12, Line 67,'593)

Transaction database / Central proxy site includes data store capable of containing session information (Col 10, Line 39, '593) and electronic payment information (Col 12, Line 51, '593)

Corresponding credit clearing infrastructure / Central proxy system may be known and trusted by other sites ... authenticate alias credit card number (Col. 13, Line 5,'593)

18. As to claim 12:

Web site operator aggregates billing and periodically bills the intermediary / the site can check if alias credit card number originates from central proxy system and collect money from the central proxy system (Col. 13, Line 9,'593)

19. As to claim 13:

Intermediary machine supplies alias destination address / Postal address (Col. 12, Line 53,'593)



Art Unit: 2134

20. As to claim 19:

Alias destination address comprises electronic destination address / alias email address  
(Col. 6, Line 66,'593)

21. As to claim 20:

Downloadable material is redirected by the intermediary machine to a user machine /  
Central proxy system capable of containing email destined for the users (Col. 12, Line  
7,'593)

22. As to claim 21:

Downloadable material is stored in a storage device associated with intermediary  
machine / Central proxy system includes a data store capable of containing email (Col.  
12, Line 7,'593)

23. As to claims 22-24:

'593 as modified above teaches a method for providing anonymous personalized  
browsing via a proxy system to be associated with an Internet service provider/Web  
portal/web site operator (Col. 6, Line 52,'593). '593 does not specifically teach  
associating the proxy system with a payment card issuing institution, merchant bank, or  
clearing network operator. The examiner takes official notice as to associating the  
proxy system with payment card issuing institution, merchant bank, or clearing network  
operator. It would have been obvious to a person of ordinary skill in the art at the time

Art Unit: 2134

of invention to associate the proxy system with a payment card issuing institution, merchant bank, or clearing network operator. One of ordinary skill in the art would have been motivated to associate the proxy system with a payment card issuing institution, merchant bank, or clearing network operator because they represent arbitrary example institutions that could employ such a system.

24. As to claims 25, 26, and 27:

Intermediary machine associated with...Internet service provider / ISP can employ proxy system (Col. 6, Line 52,'593)

Intermediary machine associated with...web portal / ISP can employ proxy system (Col. 6, Line 52,'593)

Intermediary machine associated with...particular web site operator / Networking service can employ proxy system (Col. 6, Line 53, '593)

25. Claim 14 rejected under 35 U.S.C. 103(a) as being unpatentable over '593 in view of Fenix, "Order-Route CSC".

As to claim(s) 14:

26. '593 teaches a method for providing anonymous personalized browsing including transactions comprising:

- Intermediary machine / Proxy system (Col. 5, Line 10,'593)
- Association between real identity and corresponding alias identity / Substitute identifiers (Col. 6, Line 60,'593)

Art Unit: 2134

- Supply portion of alias identity information / Provides the appropriate secure identifiers automatically (Col. 7, Line 10,'593)
- Provide intermediary payment authorization / Central proxy system provides its own valid credit card number (Col. 12, Line 67,'593)

27. While '593 teaches storing both user postal address (Col 6, Line 67, '593) and third party service locations such as post office address (Col 8, Line 33, '593), it does not teach for the intermediary to determine the proximity of the user in relationship to the third party. Fenix teaches the automatic routing of goods and services based location relationship of the retail outlet to the customer (Page 1, Line 4, Fenix). It would have been obvious to a person of ordinary skill in the art at the time of invention to use the automatic location determination of Fenix in the invention of '593.

28. Claims 15-18 rejected under 35 U.S.C. 103(a) as being unpatentable over '593 in view of Fenix, "Order-Route CSC", in further view of Boies et al., US Patent No. 6,006,200 (Hereafter referred to as '200).

As to claim 15:

29. '593 as modified above teaches a method for providing anonymous personalized browsing via a proxy system in conjunction with known anonymous commerce methods (Col. 12, Line 55, '593). '593 as modified above does not teach the specific methods involved in anonymous shipping including re-labeling the package while in custody of the shipping channel. '200 teaches to re-labeling the package while in custody of the shipping channel (Fig 1,'200). It would have been obvious to a person of ordinary skill

Art Unit: 2134

in the art at the time of invention to combine the anonymous browsing/transaction method of '593 as modified above with the anonymous shipping method of '200. One of ordinary skill in the art would have been motivated to combine these inventions because '593 addresses the need to use one of the known anonymous commerce methods in conjunction with the disclosed invention.

As to claim 16:

30. '593 as modified above teaches a method for providing anonymous personalized browsing via a proxy system in conjunction with known anonymous commerce methods (Col. 12, Line 55; '593) including the need for a real post office address corresponding to the buyer. '593 as modified above does not teach to re-label the package while in custody of the third party destination (post office). '200 teaches to re-labeling the package while in custody of the shipping channel/post office (Fig. 1, '200). It would have been obvious to a person of ordinary skill in the art at the time of invention to combine the anonymous browsing/transaction method of '593 as modified above with the anonymous shipping method of '200. One of ordinary skill in the art would have been motivated to combine these inventions because '593 as modified above addresses the need to use one of the known anonymous commerce methods in conjunction with the disclosed invention.

As to claim 17:

Art Unit: 2134

31. '593 as modified above teaches a method for providing anonymous personalized browsing via a proxy system in conjunction with known anonymous commerce methods (Col. 12, Line 55, '593) including the need for a real post office address corresponding to the buyer. Not specifically taught is to provide a receipt to the customer to retrieve their package from the third party destination. The examiner takes official notice to provide such a receipt to the customer. It would have been obvious to a person of ordinary skill in the art at the time of invention to provide a receipt containing the alias identification number to retrieve a package from the third party destination. One of ordinary skill in the art would have been motivated to a receipt containing the alias identification number to retrieve a package from the third party destination because the method of using a numbered receipt to retrieve items from an inventory is well known in the art and has long been the custom in such anonymous retrieval of items, such as in baggage storage, dry cleaning, etc.

As to claim 18, it represents a combination of previously rejected limitations corresponding to claims 16 and 17.

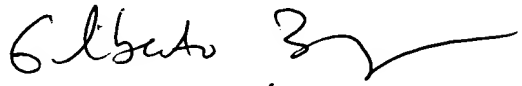
***Allowable Subject Matter***

32. Claim 10 is allowed.

**Conclusion**

33. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan R Adams whose telephone number is (571)272-3832. The examiner can normally be reached on Monday – Friday from 10am to 6pm.

34. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse, can be reached on (703) 308-4789. The fax phone number for the organization where this application or proceeding is assigned is (571)272-3838. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

  
GILBERTO BARRON JR.  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100